

DISTRICT ADVISORY BOARD MINUTES

DISTRICT I

February 2, 2004

7:00 p.m.

Atwater Community Center, 2755 E. 19th, Wichita, Kansas 67214

Members Present

Council Member Brewer
Gerald Domitrovic
Treatha Brown-Foster
Lois Tully-Gerber
Debra K. Miller
Debby Moore
Celina Porter Robinson
Steve Roberts*
James Thompson

Members Absent

Rickie Coleman*
Lacey Ganther*
Lori Lawrence
Sharon Myers*
Ken Woodard

Guest List

Joann Hartig, 1756 S. Main
Carl Ligon, 1736 NE Parkway
Ellen Querner, 1117 N. Roosevelt
Dorothy Nave, 1802 Looman

Staff Present

Virdena Gilkey, Neighborhood Assistant
Officer Lamar Wallace, WPD
Officer Maurice Mitchell, WPD
Roger Smith, Environmental Health

*Denotes District Advisory Board Alternates

ORDER OF BUSINESS

Call to Order

Councilman Brewer called the meeting to order at 7:03 p.m. and welcomed the guest.

Approval of Minutes

Brown Foster referenced page 3 and asked that her wording be corrected to say that they put in an application two years ago for bus shelters and have yet to receive a response. **Thompson (Porter Robinson)** motion to approve DAB I minutes as amended. Motion carried (7-0).

Approval of Agenda

Moore (Thompson) made a motion to approve the agenda as submitted. Motion carried unanimously. (7-0).

Public Agenda

1. Scheduled items

No items submitted

2. Off-agenda items

No items submitted

Staff Reports

3. Police Report

Officer Lamar Wallace reported the following: 1) 6 domestic violence homicides in 2003 in the Weed and Seed area; 2) 15th & Spruce – homicide at this residence. Suspect is in custody; 3) 21st & Erie – homicide where the suspect committed suicide; 4) 13th & Oliver – homicide case that is related to the 21st & Erie homicide; 5) 2300 North Grove – driveby shooting; 6) 21st Street – traffic enforcement. Officers are writing lots of tickets for speeding and other traffic violations; 7) the Health Department received a grant for cleanup for the railroad tracks (canal and Piatt through Murdock, Grove, Green, 13th & Roosevelt to Shocker Drive); and 8) WPD is working on goals for 2004.

(Officer Wallace's response in italics)

Brown Foster asked for clarification on the homicides, the enforcement for noise violations from cars, and the 50-foot rule on noise and why an officer would need to go to a house when the noise is obvious. *Officer Wallace explained the litany of homicides and explained that the drivers are being cited when they are caught with loud music in moving vehicles. The reason for going to the house of the complainant is to get more information before talking to the suspect. Some officers prefer to double check prior to going on a call. Thompson* inquired about the scheduled railroad cleanups. *A cleanup was scheduled last Saturday from Piatt to Hillside. I will have to get back with you on the rest of the scheduled areas. Moore* explained that she had received a phone call from a property owner at 800 Harding who reported multiple problems in that area – drug traffic, etc. Their complaint is that when they report to the police, an officer shows up at their door, which identifies them as the caller. Moore also cited noise violations from a band that practices in her neighborhood. They were responsible neighbors for 2 to 3 months and have now begun to practice again. *Please contact us when these incidents are occurring so that we can see and hear violations as they occur. When calling, if they do not wish to be contacted, please tell the dispatcher to have the officer only contact them by phone and provide a phone number for contact.*

Carl Ligon, 1736 NE Parkway, asked if it is a federal offence if a driveby occurs in the Weed & Seed area. *If the person is a felon, they can be prosecuted on a federal level.*

Recommended Action: The board received and filed.

Housing Agenda

4. Low Income Housing Tax Credits

Mark Stanberry, Housing, explained the request for Resolution of Support for Application for Low-Income Housing Tax Credits (Prairie Villa II, Investment Resources Corporation).

Matt Catanese, Affordable Housing Development, handed out photos of previous projects. He explained that there would be 60 to 61 units specified for seniors 55 and over. These would be two bedroom units, gardening area, walking path, gazebo, etc. They have about 5000 affordable housing units in Kansas

(Mr. Catanese response in italics)

Tully-Gerber inquired if this will be an all-electric complex and will this apply for air quality? *We will put in all electric AV units. This is very efficient and very reasonable. It will depend upon the seniors use, but their bill should be about \$40 to \$70 per month. This will apply for air quality. There will be a lower door test to ensure that everything is operating, as it should.* **Roberts** commented that this falls in the heart of his neighborhood and that Prairie Villa has been a wonderful neighbor since 1979. He added that he couldn't think of a better use for that property. **Domitrovic** inquired as to how they advertise in order to get the occupants? *With Prairie Villa already there, we will market off of 21st Street and call it Prairie Villa at Beacon Hill. There will be ads in active aging publications and in other areas where seniors are.*

Carl Ligon, 1736 NE Parkway, commented that he is following this because a lot of seniors are concerned with the key issue. He asked if it is paramount that their management carries a key? *There will not be a Master Key System. There would be a key given to the resident and there would be a key box that holds keys, but they will not be matched to any particular apartment. These keys cannot be copied.* **Joann Hartig, 1756 S. Main**, asked how safe is it with fumes in garages with these units side by side? *These garages are firewall protected so the fumes will not penetrate through.*

Mark Stanberry explained that they are also asking for a waiver of the 20% market rate, since this project is designed to serve senior citizens, which is a special population.

(Mark Stanberry's response in italics)

Moore asked if this request for an exception is so that they don't have to offer low-income housing? *With seniors, the cost is kept down so that 60% of the units are affordable housing.* **Thompson** asked about the rental price? *It is \$535 per month with electric bill payments.*

Moore (Porter Robinson) made a motion to approve the tax credit and the exception to be waived. Motion carried 7-0.

Recommended Action: The DAB approved the request.

Health Department

5. Revision of Animal Maintenance Code

Roger Smith, Environmental Health, reviewed the revision of the Animal Maintenance Code and explained the major changes to the code.

(Roger Smith's response in italics)

Tully-Gerber asked if the changes were basically to bring the code up to date? *Yes. Many of the codes were outdated and have been updated to current standards.*

Councilman Brewer commented about the lack of understanding in the neighborhoods about kennels. He asked for an explanation of what a kennel is according to their standards. *Previously, kennels were allowed as "hobby kennels". We amended that identification so that it is in-line with zoning requirements. Commercial kennels need to be located in commercial areas. Kennels are five or more dogs or two or more unspayed female dogs (see page 3 of the revision).* **Brown Foster** commented that she did not notice that snakes or wild animals were addressed in the revision. *Certain snakes, such*

as, nonpoisonous reptiles or amphibians can be kept in houses. Boas, anacondas, etc. are not allowed. Dangerous, exotic animals, i.e., lions, bobcats, etc. are illegal. Moore deviated to talking about tires and commented on a large dumpster that was left in her neighborhood after residents had moved. Someone put loaded the dumpster with tires and when the dumpster was picked up, the tires were removed from the dumpster and left in the neighborhood. *In this case, the property owner would be contacted and held responsible. Tires are \$1.00 per tire to get rid of. Miller* inquired about the regulation regarding structure allowance. *It must be sufficient for its intended purpose. It is regulated by certain things and cannot be a nuisance.*

Joan Hartig, 1756 S. Main, commented that she objects to the 10 ft. run, because she only has 20 ft. in her backyard. *There is a provision in this code for a waiver if it does not provide a nuisance. It is the owner's responsibility to prove it does not cause a nuisance.* **Carl Ligon, 1736 NE Parkway**, inquired about Section 6.12.080, Item #2. *If the electrical fence is protected by the owner's fence so that no one else can become shocked, it is acceptable.* **Ellen Querner, POW's Animal Rescue, Inc.**, stated that she has been in contact with Roger Smith and Mark Bradshaw and is in favor of the proposed changes. She added that sometimes government has to step in and regulate "bad pet owners" and these ordinances and proposed changes do that.

Tully-Gerber (Thompson) moved to approve the recommended changes as set-forth by Environmental Health.

Miller stated that she wanted to reconsider the increase in fees and not increase the fees as much. **Moore** commented that she supports the fees.

Substitute motion: **Miller (Brown Foster)** moved to accept the proposed code changes as presented with the exception of the fee structure that should be amended or revised.

Tully-Gerber stated that she doesn't understand the fee. She said that they didn't get input from Environmental Health person when it was presented and she found it hard to vote on that. **Miller** explained that the fees doubled or tripled in some cases and she would like the increases to be changed or revised. **Brown Foster** stated that the income revenue would go from \$10,000 to \$15,000 annually. **Roger Smith** responded that the existing fees are about 20 years old and they looked at the span of time and the cost of doing business in this time.

A few additional comments were made and the board voted on the substitute motion.

The substitute motion carried 5-2 (**Thompson, Tully-Gerber opposed**).

Recommended Action: The board voted to approve the proposed changes with the exception of the fee structure.

6. 21st and Edgemoor/Malcolm Intersection Traffic Study

Scott Logan, Traffic Engineering, presented the findings of the traffic study conducted at 21st and Edgemoor/Malcolm intersection. He explained that they looked at the accidents, volumes, speed and geometric conditions when conducting the study. They considered two types of improvements: 1) signal lights – need five accidents per year; and 2) creating a center turning lane by widening the street. It was decided that #2 is the best option.

The board made the following comments: 1) The turning lane is ideal. There is not enough traffic on Edgemoor to warrant a traffic light; 2) Very familiar with this area and it is absolutely right on to have five lanes, which includes the turning lane; 3) It was not

mentioned in the report that when a light is added on that stretch, then a problem would be created with people cutting through the area to turn at the light. This can cause an increase in neighborhood traffic.

Miller (Porter Robinson) moved to approve the study. Motion carried 7-0.

Recommended Action: The board approved and filed the 21st/Edgemoor Traffic Study.

Unfinished Business

No items submitted

New Business

No items submitted

Board Agenda

7. Updates, Issues, and Reports

- 1) **Lois Tully-Gerber** reported that the Fireworks Taskforce met on February 3rd and have several scheduled meetings planned. She also reported that the Center of Hope is one of the social service agencies that are offering tax service for free. Call 219-2121 for assistance. Lastly, Plastic Recycling of Kansas is on the City Council Agenda.
- 2) **Steve Roberts** reported that the contractor who owns the lot at 21st and Pinecrest is back. There is outdoor storage of construction equipment.
- 3) **Councilman Brewer** reported that Mr. Polson's concerns were addressed:
 - i. Dry Creek – improvements proposed for 2006-2012. The City is looking and taking care of the flooding citywide on the creeks.
 - ii. The City is waiting on the railroad's lawyers to agree on the language in the document, which addressed the cleanup.
 - iii. 9th and Oliver duplexes have been sold again and we are at square one. Owners are working on them and will repair the units one at a time.

Councilman Brewer also announced the District 1 Coalition Breakfast will be February 7th and the guest speaker will be the new Housing Director. He also announced that the next DAB meeting would be March 1st.

- 4) **Brown Foster** asked that Dorothy Nave, NE Millair NA President, address the doghouse issue mentioned at the last DAB meeting. Ms. Nave corrected her statement and reported that the property owners and not the City purchased the doghouses.
- 5) **NEW Awards** were presented to NE Millair NA again this year. NE Heights and Ken Mar NA were in the running. Councilman Brewer was awarded the Hero Award. Congratulations to all.
- 6) **Councilman Brewer** reported that the CDBG funds have been cut. McAdams Revitalization is on the list for funding.

The board received and filed the reports.

Being no further business, **Domitrovic (Tully-Gerber)** made a motion to adjourn. Motion carried 7-0.

The meeting adjourned at 9:23 p.m.

Respectfully Submitted By,

Virdena Gilkey
Neighborhood Assistant